

**REMARKS/ARGUMENTS**

Claims 1-2, 4-12, 14-17, and 19 are pending. By this Amendment, claims 1, 10 and 15 are amended. No new matter is added. Support for the claims can be found throughout the specification, including the original claims, and the drawings. Reconsideration in view of the above amendments and following remarks is respectfully requested.

Entry of the amended claims is proper under 37 C.F.R. §1.116 since the amendments: (1) place the application in condition for allowance for the reasons discussed herein; (2) do not raise any new issues requiring further search and/or consideration since the amendments amplify issues previously discussed throughout prosecution without incorporating additional subject matter; (3) satisfy a requirement of form asserted in the previous Office Action; and/or (4) place the application in better form for appeal, if necessary. Entry is thus requested.

The Office Action rejected claims 1, 2, 4-6, 8, and 9 under 35 U.S.C. §103(a) as being unpatentable over Katagiri, U.S. Patent No. 5,598,607 in view of Overhues et al. (hereinafter "Overhues"), U.S. Patent 5,112,178. The rejection is respectfully traversed.

Independent claim 1 has been amended to recite, *inter alia*, a plate shaped spacer inserted between the frictional member tightening planes, so as to provide a predetermined gap between the tightening planes. The Office Action acknowledges that Katagiri fails to disclose or suggest the claimed plate shaped spacer. However, the Office Action then asserts that:

Overhues teaches an arrangement comprising [ ] parallel tightening planes (not shown in drawings), a tightening member (5) and plate shaped spacer (1) between

the tightening planes. Overhues uses the spacer (1) to prevent loosening of the joint (column 1, lines 15, 16). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Katagiri as taught by Overhues, such that Katagiri includes a spacer plate, in order to prevent loosening of the joint.

However, as previously stated, the claimed plate shaped spacer is different from the washer disclosed by Overhues. Referring, for example, to the exemplary embodiment shown in Figures 1-5 of the present application and the corresponding disclosure, plate shaped spacer 43 prevents the destruction of frictional member 41 by providing a predetermined gap between two frictional member tightening planes 41b and thereby dispersing strong pressure exerted on the frictional member 41. See, for example, page 8, lines 7-11 of the present application. In contrast, the washer disclosed by Overhues is designed to securely seat a screw such that it can be tightened without damaging a support. See, for example, col. 2, lines 5-8, and col. 4, lines 33-47 of Overhues. Therefore, Overhues fails to disclose or suggest at least the claimed plate shaped spacer, and thus, it would not have been obvious to modify Katagiri in view of Overhues as suggested by the Examiner to produce the claimed invention of independent claim 1.

Further, the washer taught by Overhues is merely a plate shaped spacer placed between a tightening member (screw 8) and a tightening plane (the support). Thus, even if it would have been obvious to combine the two references, the washer taught by Overhues still would not provide a predetermined gap between the tightening planes, as recited in independent claim 1.

Accordingly, the rejection of independent claim 1 over Katagiri and Overhues should be withdrawn. Dependent claims 2, 4-6, and 8-9 are allowable over Katagiri and Overhues at least for the reasons discussed above with respect to independent claim 1, from which they depend, as well as for their added features.

The Office Action rejected claim 7 under 35 U.S.C. §103(a) as being unpatentable over Katagiri in view of Overhues, and further in view of Lu, U.S. Patent No. 6,018,847. The rejection is respectfully traversed.

Dependent claim 7 is allowable over Katagiri and Overhues at least for the reasons discussed above with respect to independent claim 1, from which it depends, as well as for its added features. Lu fails to overcome the deficiencies of Katagiri and Overhues, as it is merely cited as allegedly teaching a guiding protuberance or guiding portion. Accordingly, the rejection of claim 7 over Katagiri, Overhues, and Lu should be withdrawn.

The Office Action rejected claims 10-12, 14-17, and 19 under 35 U.S.C. §103(a) as being unpatentable over Katagiri and Overhues in view of Lu. The rejection is respectfully traversed.

Independent claims 10 and 15 have been amended to recite, *inter alia*, a plate shaped spacer inserted between the frictional member tightening planes, so as to provide a predetermined gap between the tightening planes. As set forth above, Katagiri and Overhues fail to disclose or suggest such features. Further, Lu also fails to disclose or suggest such features.

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Further, Katagiri, Overhues, and Lu fail to disclose or suggest the claimed respective combinations of independent claims 10 and 15.

Accordingly, the rejection of independent claims 10 and 15 over Katagiri, Overhues, and Lu should be withdrawn. Dependent claims 11-12, 14, 16-17, and 19 are allowable over Katagiri, Overhues, and Lu at least for the reasons discussed above with respect to independent claims 10 and 15, from which they respectively depend, as well as for their added features.

### **CONCLUSION**

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

In view of the foregoing amendments and remarks, it is respectfully submitted that this application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

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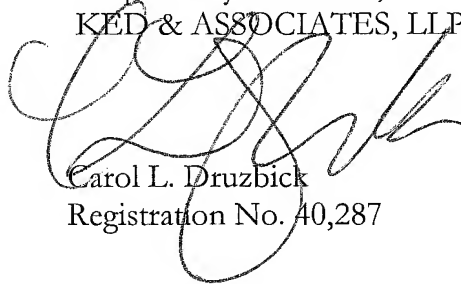
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To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,  
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